

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal No. 05-1849 JH

DANA JARVIS,

Defendant.

MOTION TO CONTINUE HEARING

Defendant Dana Jarvis, by and through counsel, Joe M. Romero, Jr., hereby moves the Court for an Order continuing the hearing on the Government's Motion for Order to Show Cause Why Protective Order Should Not Be Vacated, currently set for 1:15 p.m. on Wednesday, June 14, 2006, before the Honorable Judith C. Herrera, and as grounds therefore states:

1. Undersigned counsel is currently in trial in the Second Judicial District Court case styled: *State of New Mexico v. Arturo Grajeda*, No. D-202-CR-2005-877, before Judge Kenneth Martinez in Albuquerque. Said trial began on Monday, June 12, 2006, and is not expected to conclude until late in the morning on Friday, June 16, 2006. Undersigned counsel's client in said trial is charged with eight (8) separate charges including murder in the second degree.

2. To avoid any further scheduling conflicts undersigned counsel, and counsel for the Government request that this hearing be re-scheduled on a date and time during the week of June 19, 2006 through June 23, 2006.

3. Opposing counsel, AUSA Stephen R. Kotz, does not oppose this motion.

WHEREFORE, Defendant respectfully requests that that Court enter an Order continuing

the hearing currently set for 1:15 p.m. on June 14, 2006.

Respectfully Submitted

Electronically filed 6/13/06

By: _____

Joe M. Romero, Jr.
Attorney for the Defendant
1905 Lomas NW
Albuquerque, NM 87104
(505) 843-9776

I hereby certify that a true and correct copy of the foregoing was mailed to opposing counsel, AUSA Stephen R. Kotz, on June 13, 2006.

Electronically filed 6/13/06

Joe M. Romero, Jr.